

Application No.: 10/031,375
Reply to Office action of June 10, 2004

Remarks/Arguments

This Amendment is being filed in response to the Office action dated June 10, 2004. Support for the amended claims is found throughout the specification, the original claims and the drawings. In particular, support for the added limitation of a watchband can be found, for example, in Figure 1. The limitation of multiple sculptures adapted for use on the same watch base is found, for example, on page 2, lines 3-4. The limitation of new Claim 25 can find support at page 4, lines 9-11. No new matter has been added. Each rejection will be discussed briefly below.

Claims 21-23 are rejected as being obvious over US Patent 2,036,046 to Harrison in view of Fisk and over Fisk. Harrison is directed to a mantel clock characterized by a base having affixed thereon a member depicting stations defining a location on the world; a rotating time element which aligns to the stations, indicating the local time at that station. The clock is characterized by a hemisphere or map "securely fastened" (Page 1, second column, lines 51-54) to the top of the clock and stationary relative to the "member." Fisk, also directed to a mantel clock, also teaches a clock with rotatable bands. Fisk is characterized by a stationary and detachable top and rotating and removable middle sleeve. Fisk is relied upon to teach that one may render the "member" and map stationary.

Harrison and Fisk do not teach a timepiece of size, weight or durability which is suitable for use as a wristwatch nor do Harrison and Fisk teach the desirability of doing so. Harrison and Fisk do not teach a timepiece that is characterized by a removable platform characterized by a decorative object. Applicants disagree with the Examiner's implicit assertion that the flange of Fisk makes obvious a sculpture. Removable, as that term is clearly used in the patent specification and claims requires the object to be removable by the user to permit easy replacement of the object with different objects. Indeed, the map attached to the clock is "securely fastened" and is intended to be a permanent attachment, not to be removed and replaced by the user to provide fashion choices. See page 1, lines 22-24 of the present specification. Certainly, the references do not teach multiple, interchangeable objects for the top of the device, as claimed in Claim 24 and does not teach the specific characteristics of removal in Claim 25.

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The rejection asserts that making a wristwatch from a mantel clock to permit "portability" is "conventional" and, hence, obvious. This assertion is completely without support and is obviously untrue. Not all clocks can be made to portable. Certainly, a grandfather clock is not suitable for miniaturization as a wristwatch. A wristwatch must be small, light weight and highly durable. In spite of the numerous references found and cited by the Examiner throughout this prosecution history which discusses cylindrical, revolving mantel clocks, the Examiner has failed to provide even one example in the prior art of such a clock configuration adapted for use as a wristwatch or other small, wearable timepiece. It is not at all clear from the art cited by the Examiner that the person of ordinary skill in the art would find it obvious to make the mantel clock in a size, weight and durability appropriate for wearing on a wrist.

Furthermore, the references do not teach the desirability of replacing the decorative top. Fisk teaches a removable top for the purpose of replacing the internal cylinder, not to replace the top piece itself. Indeed, the "flange" of Fisk does not contain an object which can reasonably be coined a sculpture at all. Harrison's top is clearly intended to be a permanent fixture of the timepiece. With respect to new Claims 24 and 25, neither reference teaches a second different sculpture and the specific characteristics of attachment. These claims highlight the nature and ease of removing and replacing the sculpture. This feature of the claims is not taught by the references.

Withdrawal of the rejection is requested.

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CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 251-3509.

Respectfully submitted,

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